

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
WI-LAN INC.,

Plaintiff,

v.

**LG ELECTRONICS, INC. and LG
ELECTRONICS U.S.A., INC.,**

Defendants.
-----X

10 Civ. 432 (LAK) (AJP)

**NOTICE OF MOTION TO
STAY LITIGATION PENDING
EX PARTE REEXAMINATION
PROCEEDINGS**

PLEASE TAKE NOTICE that, upon the annexed Affirmation of Richard A. Edlin, together with supporting exhibits annexed thereto, the accompanying Memorandum of Law, and upon all pleadings and proceedings previously had herein, the undersigned, lead counsel for Defendants LG Electronics, Inc. and LG Electronics U.S.A., Inc., will move this Court, located in Room 12D of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, at a date and time to be determined by the Court, for an Order:

1. Staying all proceedings in the above-referenced matter pending a determination by the United States Patent and Trademark Office in the *ex parte* reexamination of U.S. Patent No. 5,828,402 on the grounds that the reexamination proceedings (a) will resolve many of the issues in this case, (b) will save valuable resources of both the Court and the parties, including the prevention of possibly duplicative or contradictory outcomes, and (c) will cause no undue prejudice to Plaintiff; and
2. Granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to S.D.N.Y. Civ. R. 6.1 and the Court's Individual Practices, answering papers and affidavits, if any, are required to be

served upon the undersigned no more than fourteen (14) days from the date this Motion was served.

PLEASE TAKE FURTHER NOTICE that Defendants discussed this Motion with counsel for Plaintiff, who would not agree to the proposed stay.

Dated: New York, New York
April 15, 2010

GREENBERG TRAURIG, LLP

/s/ Richard A. Edlin

Richard A. Edlin (RE 1998)
Daniel I.A. Smulian (DS 4746)
200 Park Avenue
New York, New York 10166
(212) 801-6528 (*telephone*)
(212) 801-5528 (*facsimile*)
edlinr@gtlaw.com

Of counsel:

Richard D. Harris (*pro hac vice*)
Jeffrey G. Mote (*pro hac vice*)
Eric J. Maier (*pro hac vice*)
Greenberg Traurig, LLP
77 West Wacker Drive, Suite 2500
Chicago, Illinois 60601
(312) 456-8400 (*telephone*)
harrisr@gtlaw.com
motej@gtlaw.com
maierse@gtlaw.com

*Attorneys for Defendants LG Electronics,
Inc. and LG Electronics U.S.A., Inc.*